

Appl. No.: 10/694,638
Reply to Office Action of: 09/22/2005

REMARKS

The title has been amended above as requested by the examiner. In regard to the objection to claim 4, the examiner is requested to withdraw his objection. MPEP §2173.05(i) clearly indicates that there is nothing inherently ambiguous or uncertain about a negative limitation. The mere absence of a positive limitation is not basis for exclusion. The examiner is requested to withdraw his objection.

Claims 1-9, 12, 27 and 31-34 were rejected under 35 U.S.C. §102(b) as being anticipated by McEachern (US 5,680,028). Claims 28-30 were rejected as being unpatentable over McEachern (US 5,680,028). The examiner is requested to reconsider these rejections.

Claim 1 claims a charging device comprising a battery. McEachern does not disclose or suggest that the charger 1 has a battery. Only the toothbrush 2 (the device being charged) is disclosed as having a battery. Therefore, McEachern certainly does not "anticipate" the features recited in claim 1. Nor are the features recited in claim 1 obvious in view of McEachern. Nowhere in McEachern is there a suggestion of the charger 1 having a battery. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 2-11 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

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Claim 12 claims a method comprising charging a first rechargeable battery in a first charging device. Again, McEachern does not disclose or suggest that the charger 1 (charging device) has a battery. Only the toothbrush 2 (the device being charged) is disclosed as having a battery. Therefore, McEachern certainly does not "anticipate" the features recited in claim 12. Nor are the features recited in claim 12 obvious in view of McEachern. Nowhere in McEachern is there a suggestion of charging a battery in the charger 1. Therefore, claim 12 is patentable and should be allowed.

Though dependent claims 13-16 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 12. However, to expedite prosecution at this time, no further comment will be made.

Claim 27 has been amended to clarify applicants' claimed invention. In particular, claim 27 claims that the housing comprising a first section adapted to be fixedly stationarily attached to a substantially vertical mounting surface and a second section extending outward from the first section, wherein the portion of the induction core extends at least partially along the second section of the housing, wherein the second section extends outward from the first section as a general cantilever. The features recited in claim 27 are not disclosed or suggested in the art of record. Therefore, claim 27 is patentable and should be allowed.

Though dependent claims 28-32 contain their own allowable subject matter, these claims should at least be allowable due

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to their dependence from allowable claim 27. However, to expedite prosecution at this time, no further comment will be made.

Claim 34 claims a charging device comprising both a rechargeable battery and a first induction coil coupled to the battery. The charging device also comprises an induction core extending through the first induction coil, wherein the induction core is adapted to removably couple with a second induction coil of a portable electronic device by extending into the second induction coil. This is in addition to a first battery charger. The features recited in claim 34 are not disclosed or suggested in the cited art. McEachern does not disclose or suggest both a first battery charger and a charging device; wherein the charging device comprises both a rechargeable battery and a first induction coil coupled to the battery, and an induction core extending through the first induction coil, wherein the induction core is adapted to removably couple with a second induction coil of a portable electronic device by extending into the second induction coil. In McEachern, although charger 1 might be considered applicants' claimed first battery charger, because it does not have a battery it cannot be considered the claimed charging device. The features of claim 34 are not disclosed or suggested in the cited art. Therefore, claim 34 is patentable and should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is

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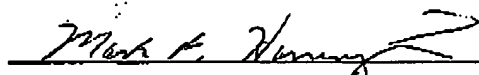
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respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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12/6/05

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